IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4804 OF 2005
IN
CRIMINAL APPEAL NO. 585 OF 2000

Trimbak Vithoba Salve ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. P.R. Arjunwadkar, Advocate for Applicant

Mr. V.B.Konde Deshmukh, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 18TH OCTOBER, 2005

P. C.:-

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking bail. The applicant was earlier released on bail by this Court by order dated 6.9.2000. The applicant was released on bail on P.R. bond of Rs.5,000/- and two sureties of the like amount. This court granted four weeks time to the applicant to furnish the fresh bond. As the applicant failed to furnish the same, he was taken back into custody on 30.4.2004 and since then the applicant is in custody.

3. The applicant has been convicted under Section 7, 13(2) r.w. 13(1) (d) of Prevention of Corruption Act and sentenced to R.I. for 15 months and to pay fine of Rs.1,000/- i/d R.I. for three months. The applicant has already undergone R.I. for 15 months and almost all the period of in default sentence.

4. It is stated by the learned advocate for the applicant that on account of his poor financial condition, he was unable to furnish the requisite sureties. In this view of the matter, the order dated 6.9.2000 whereby the applicant was granted bail is modified and the applicant Trimbak Vithoba Salve be released on bail on furnishing cash deposit of Rs.2,000/- (Rupees Two thousand only). As the applicant has undergone almost all the period of in default sentence, I am not inclined to insist that the applicant deposits the fine amount before he is released on bail.

5. Application is disposed of.

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